

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOHN GULBANKIAN, ROBERT D.
CALLAHAN, ERIC HARTSHORN, and
BETHANY PERRY, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

MW MANUFACTURERS, INC.,

Defendant.

Case Numbers: 1:10-CV-10392-RWZ and
3:12-CV-30122-RWZ

**PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

Plaintiffs John Gulbankian, Robert Callahan, Erik Hartshorn, and Bethany Perry (“Plaintiffs”) respectfully move the Court for final approval of the Settlement Agreement (“Agreement”) entered into between the Plaintiffs and MW Manufacturers, Inc. (“MW”) and for final certification of the class for settlement purposes. *See* Ex. A, Agreement of Compromise and Settlement. On May 23, 2014, this Court preliminarily granted approval of the Agreement and certified the class for settlement purposes. [Doc. 169]. Also pending before this Court is Plaintiffs’ Motion for Award of Attorneys’ Fees, Expenses and Representative Plaintiffs’ Service Payments filed on October 17, 2014. [Doc. 188].

In support of their request, Plaintiffs assert, *inter alia*, that the Agreement proposed for final approval is fair, reasonable, and adequate and that the proposed Settlement Class meets the requirements for certification under Fed. R. Civ. P. 23. To the extent objections have been filed, they are unsupported, without legal or factual merit, and should be overruled. Plaintiffs have filed a separate memorandum contemporaneously herewith addressing the objections.

In further support of this Motion, Plaintiffs refer the Court to their Memorandum in Support of Motion for Final Approval of Class Action Settlement, the accompanying declarations, submitted herewith, and all documents filed of record in this matter. Defendant does not oppose the relief requested in this Motion. A proposed agreed Final Approval Order, Final Judgment, and Order of Dismissal with Prejudice is attached hereto.

WHEREFORE, Plaintiffs respectfully request this Court grant this Motion for Final Approval of Class Action Settlement, finalize certification of the class for settlement purposes and enter the proposed Final Approval Order, Final Judgment, and Order of Dismissal with Prejudice to fully resolve the issues in Plaintiffs' Consolidated Amended Class Action Complaint.

Dated: October 22, 2014

Respectfully submitted,

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Class Counsel

LOCAL RULE 7.1 CERTIFICATE

I hereby certify pursuant to Local Rule 7.1(a)(2) that the moving party has conferred in good faith with opposing counsel on the matter set forth herein and that opposing counsel does not oppose the relief sought herein.

/s/ Michael J. Flannery
Michael J. Flannery

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via U.S. first class mail to those indicated as non-registered participants, this 22nd day of October, 2014.

/s/ Michael J. Flannery
Michael J. Flannery